

**CONGRESSMAN SHERWOOD BOEHLERT (R-NY)**  
**FLOOR STATEMENT ON FOREST RECOVERY ACT**  
**May 17, 2006**

Mr. Chairman:

I rise in strong opposition to this bill. I know the sponsors of this bill mean well, and I know they think they have written a narrowly tailored, environmentally protective bill. But unfortunately, they have not.

Let me start by emphasizing that I am open to efforts to expedite environmental procedures for true emergencies or in other clear cases where current laws are needlessly burdensome. I helped negotiate the Healthy Forest Restoration Act, and I supported its passage. But the bill before us today is far broader than that Act, and contains few, if any, of its environmental protections.

Here are some things you should know about H.R. 4200. First of all, it can be applied to a wide variety of situations, far beyond the normal definition of an emergency that requires immediate action. Under the bill, a “catastrophic event” includes slowly developing problems like drought and insect infestation – problems that can be addressed through processes that allow for true analysis and review. Not only that, the bill applies to situations in which damage may not occur for many years – again, a situation that needs to be addressed but not so quickly as to allow no time for true analysis.

There are very few forests that are not experiencing a “catastrophic event” on almost a daily basis under the definition in this bill. If you want to write an emergency bill, then I think it ought to apply to emergencies.

I would also point out that this bill applies to Wilderness Study Areas, which are exempt under Healthy Forests.

And what can happen when this bill is applied? Well, all normal environmental reviews are waived. Reviews are even waived for “pre-approved plans” that are written long before an emergency. No environmental review. Then, under the bill, projects can proceed without the consultation required by the Endangered Species Act and the Clean Water Act.

When would consultation occur? The bill doesn’t set a time frame; it would just be some time after the project started – probably after any unnecessary damage has been done.

In short, this bill does not expedite procedures, it eviscerates the application of environmental laws for the projects under this bill. No environmental analysis of alternatives. No timely analysis of the effect on clean water. No timely analysis on the effect on species.

I wish this bill were as advertised. A targeted bill to handle emergencies would pass muster with me. But this is a bill that will allow unanalyzed salvage timber sales, new road building, including in roadless areas, and projects that threaten water supplies without any true, legally reviewable analysis of alternatives.

I urge my colleagues to defeat this bill.